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Frank C. Eisenschenk

Frank C. Eisenschenk, Ph.D., Patent Attorney

ELECTION UNDER 35 USC §121  
Examining Group 1637  
Patent Application  
Docket No. BB-126  
Serial No. 10/521,935

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Cynthia B. Wilder, Ph.D.  
Art Unit : 1637  
Applicants : Bruno Stuhlmüller, Thomas Haeupl, Olaf Kiesslich, Gerd-Rüdiger Burmester  
Serial No. : 10/521,935  
Filed : January 24, 2005  
Confirm. No. : 2083  
For : Nucleic Acid Array Consisting of Selective Monocytic Macrophagic Genes

MS AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

Applicants request that the period for response be extended one month through and including December 4, 2007, the fees for which have been paid at the time this Election was filed.

In response to the written restriction requirement dated October 4, 2007, Applicants hereby elect with traverse to prosecute the Group I claims, *e.g.*, claims 1-9, drawn to an array of oligo probes. Applicants further elect the following ten (10) genes:

201400\_at  
202737\_s\_at  
203825\_at  
206206\_at  
209480\_at  
211654\_x\_at  
213831\_at  
218123\_at  
218831\_s\_at  
219714\_s\_at

A Preliminary Amendment is being submitted with this Election. Claims 1-9 and 32 read on the elected invention.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



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Attachment: Preliminary Amendment